

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Amy J. St. Eve	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	08 C 3962	DATE	3/2/2009
CASE TITLE	Farmer et al. Vs. DirectSat USA		

DOCKET ENTRY TEXT

Motion hearing held on 3/2/09. Defendant's motion to disqualify plaintiffs' counsel [50] is denied, conditioned on factors listed below. Motion to reconsider to be filed by 3/16/09. Status hearing set for 3/30/09 is stricken and reset to 3/19/09 at 8:30 a.m. The Court stays the turning over of any employee files until further order of the Court. No discovery in this case can be used for any other purpose other than this case. The parties are ordered to meet and confer in person regarding the outstanding discovery issues.

■ [For further details see text below.]

Notices mailed by Judicial staff.

00:30

STATEMENT

Defendant's motion to disqualify plaintiffs' counsel [50] is denied, conditioned on the following: 1) Mr. Cotiguala must file informed consent waivers as to Mr. Hundt, and all named plaintiffs in the case on or before 3/16/09; and 2) Mr. Cotiguala must find an independent co-counsel to cross examine Mr. Hundt in the event he is called as a witness at trial and seek court approval of such counsel on or before 4/1/09. The Court takes under advisement the question of whether a waiver must be obtained from the entire class. Given the nature of Mr. Cotiguala's conduct, the court awards Defendant's counsel its fees incurred in filing the motion to disqualify. Defendant's counsel's fee petition is due on or before 3/16/09.

Courtroom Deputy
Initials:

KF